



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Agere Systems Inc.

Application No./Patent No.: 09/471,806 Filed/Issue Date: December 23, 1999

Entitled: Digital Adaptive Equalizer for T1/E1 Long Haul Transceiver

Agere Systems Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. ☒ the assignee of the entire right, title, and interest; or
- 2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- 1. From: Inventor(s) To: Lucent Technologies Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 010622, Frame 0563, or for which a copy thereof is attached.
- 2. From: Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
- 3. From: Agere Systems Guardian Corp. To: Agere Systems Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

<u></u>	<u>November 10, 2005</u>
Signature	Date
<u>William H. Bollman</u>	<u>202-261-1000</u>
Printed or Typed Name	Telephone Number
<u>Corporate Counsel</u>	
Title	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**EXECUTION COPY**

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**PATENT ASSIGNMENT****by and between****LUCENT TECHNOLOGIES INC.****and****AGERE SYSTEMS GUARDIAN CORP.****Dated as of January 30, 2001**

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## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

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Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

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IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

## LUCENT TECHNOLOGIES INC.

By: 

Daniel P. McCurdy

President, Intellectual Property Business

## AGERE SYSTEMS GUARDIAN CORP.

By: 

Fred M. Romano

President

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ACKNOWLEDGMENTS

STATE OF NEW JERSEY )

ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name TAMORA ANNE HANNA  
 Notary Public Notary Public of New Jersey  
 My Commission Expires Registered in Hunterdon County  
 [Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA )

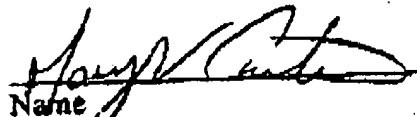
ss:

COUNTY OF ORANGE )

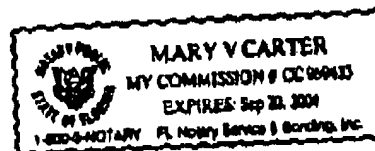
I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and

b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name  
 Notary Public  
 My Commission Expires:  
 [Notarial Seal]



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# Delaware

PAGE 1

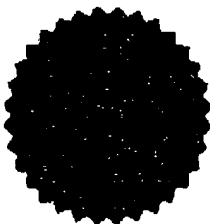
## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

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STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 08/29/2002  
020545223 - 9268412

**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**Agere Systems Guardian Corp.  
(a Delaware corporation)**

**INTO**

**Agere Systems Inc.  
(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

**AGERE SYSTEMS INC.**

By Paul Bento  
Paul Bento, Vice President

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APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Pearce 15	6/30/1999			09/345679
Pearce 19	4/28/1999			09/300984
Pearce 22	6/30/1999			08/345462
Pearce 26	1/5/2000			60/174566
Pearce 27	1/5/2000			60/174549
Pearce 28	1/5/2000			60/174588
Pearce 31-27	8/17/2000		09/641086	
Peinador 1-1	11/3/1999			09/432926
Pekarich 5-15	1/14/2000			09/483574
Pekarich 6-16	1/31/2000			09/495161
Pekarich 7-17	2/17/2000			09/506019
Pengkuson 1-1-1	11/30/1999			09/461078
Pengkuson 2-1-1	1/27/2000			09/492600
Peon 1-3	6/18/1999			09/335576
Peon 2-4	7/29/1999			09/363781
Phillips 2	7/20/1998		09/119281	
Phillips 7	9/4/1998		09/148448	
Phillips 8	6/30/1999			09/343385
Pitio 6-3	1/3/1994		08/176556	
Poirier 1-2	2/5/1999			09/244858
Poirier 2-3	9/29/2000		09/677008	
Polakowski 7-1	5/5/2000			09/566101
Potts 3	6/22/1998		09/100892	
Potts 4	6/22/1998		09/100891	
Potts 5	6/22/1998		09/100890	
Prasad 11	3/13/1998		09/039151	
Prasad 12	3/13/1998		09/042397	
Prasad 13	3/13/1998		09/039157	
Prasad 14	3/13/1998		09/039158	
Prasad 15	3/13/1998		09/039154	
Prasad 17-7	3/16/1999			09/270916
Prasad 18-1	12/30/1998			09/223543
Prasad 2	12/12/1997		08/989827	
Prasad 4	3/28/1997		08/828455	
Prasad 5	10/23/1997		08/955415	
Prasanna 10	5/5/1998	6/27/2000	6081219	
Prasanna 13	7/22/1999			09/359554
Prasanna 16	2/23/2000			09/511089
Prasanna 2	2/27/1998		08/607730	
Prasanna 6	4/23/1998	6/20/2000	6078630	
Prasanna 7	11/18/1998			09/193284
Prodanov 3	5/28/1998			09/322961
Prybyla 4	8/7/1998	4/11/2000	6048799	
Prybyla 5-14	7/28/1999			09/362424
Quinlan 6	10/2/1998		08/733242	
Quinlan 8-1	5/13/1997		08/853736	
Rafferty 5	8/30/1999			09/386298
Rafferty 8-2	9/11/2000		09/659668	
Raghunath 10	4/30/1997		08/841749	
Raghunath 13	6/12/1998	5/9/2000	6060938	
Raghunath 15-3	6/26/1998		09/105783	
Raghunath 6	4/30/1997		08/841743	
Ramnaud 5-1	12/23/1999			09/471806
Rango 1	1/18/2000			09/488094
Ransijn 4	7/20/1998		09/119242	
Ransijn 5	7/20/1998		09/119444	
Ransijn 8	10/2/2000		09/677469	
Rauchut 2-4-1-1	1/12/2000			09/482390
Reents 6	4/2/1998	8/13/2000	6073476	
Rennig 1	7/31/1997	6/20/2000	6078620	

## GENERAL APPOINTMENT OF AGENT

AND

## POWER OF ATTORNEY

Agere Systems Inc., for itself and its subsidiaries, and as successor in interest to patents of Agere Systems Inc., hereby appoints:

Ian M. Hughes, Reg. No. 41,083  
Mark Kurisko, Reg. No. 38,944  
Marie MacNichol, Reg. No. 35941  
Scott W. McLellan, Reg. No. 30,776  
David L. Smith, Reg. No. 30,592  
Lloyd Sadler, Reg. No. 40,154  
John P. Veschi, Reg. No. 39,058  
David A. Sasso, Reg. No. 43,084  
Chad Hilyard, Reg. No. 40,647

as agents and attorneys to act on Agere Systems Inc.'s behalf before any competent National and International Authorities in connection with any and all patents and patent applications filed by Agere Systems Inc., its wholly-owned subsidiaries or its predecessors, or otherwise issued or pending in the name of Agere Systems Inc. or any of its wholly-owned subsidiaries or predecessors, with the power to further appoint agents, and grant powers of attorney in connection therewith.

Agere Systems Inc.

By: J. P. Veschi  
John P. Veschi  
Vice President - Intellectual Property & Law

Date: November 4, 2005

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